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PATENT
ATTORNEY DOCKET NO: 07265/057001

# COMBINED DECLARATION AND POWER OF ATTORNEY

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GROWTH DIFFERENTIATION FACTOR-5, the specification of which

☐ is attached hereto.

■ was filed on May 31, 1995 as Application Serial No. _____ and was amended on _____.

☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

COPY OF PAPERS ORIGINALLY FILED

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| COUNTRY | APPLICATION NO. | FILING DATE | PRIORITY CLAIMED |
|---|---|---|---|
| PCT | PCT/US94/00657 | January 12, 1994 | ■ Yes ☐ No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. SERIAL NO. | FILING DATE | STATUS |
|---|---|---|
| 08/003,144 | January 12, 1993 | ☐ Pending ☐ Issued ■ Abandoned |

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lisa A. Haile, 38,347, William E. Booth, Reg. No. 28,933; June M. Bostich, Reg. No. 31,238; Karl Bozicevic, Reg. No. 28,807; Barry E. Bretschneider, Reg. No. 28,055; Paul T. Clark, Reg. No. 30,162; Peter J. Devlin, Reg. No. 31,753; Willis M. Ertman, Reg. No. 18,658; David L. Feigenbaum, Reg. No. 30,378; Janis K. Fraser, Reg. No., 34,819; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168; Scott C. Harris, Reg. No. 32,030; Mark J. Hebert, Reg. No., 31,766; Gilbert H. Hennessey, Reg. No. 25,759; Charles Hieken, Reg. No. 18,411; Robert E. Hillman, Reg. No. 22,837; Stacy L. Howells, Reg. No. 34,842; John Land, Reg. No. 29,554; Roger Lee, Reg. No. 28,963; Steven E. Lipman, Reg. No. 30,011; Gregory A. Madera, Reg. No. 28,878; Ralph A. Mittelberger, Reg. No. 33,195; Ronald E. Myrick, Reg. No. 26,315; Robert C. Nabinger, Reg. No., 33,431; Frank P. Porcelli, Reg. No. 27,374; Eric L. Prahl, Reg. No. 32,590; Alan D. Rosenthal, Reg. No. 27,833; Richard M. Sharkansky, Reg. No. 25,800; John M. Skenyon, Reg. No. 27,468; Michael O. Sutton, Reg. No. 26,675; Rene D. Tegtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; John N. Williams, Reg. No. 18,948; Gary A. Walpert, Reg. No. 26,098; John R. Wetherell, Reg. No. 31,678; Dorothy P. Whelan, Reg. No., 33,814; and Charles C. Winchester, Reg. No. 21,040.

# COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Address all telephone calls to Lisa A. Haile at telephone number 619/678 -5070.

Address all correspondence to Lisa A. Haile, Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Inventor's Signature: S. Lee Date: July 27, 1995

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Inventor's Signature: Thanh Huynh Date: July 24, 1995

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PATENT
ATTORNEY DOCKET NO.: JHU1320-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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|---|---|---|---|
| Applicant: | Lee and Huynh | Art Unit: | 1647 |
| Application No.: | 09/880,708 | Examiner | Unassigned |
| Filed: | June 12, 2001 | | |
| Title: | GROWTH DIFFERENTIATION FACTOR-5 | | |

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Commissioner for Patents
Washington, D.C. 20231

## APPOINTMENT OF ASSOCIATE ATTORNEY

Sir:

I am attorney of record in the above-referenced patent application and, pursuant to 37 C.F.R. 1.34b, I hereby appoint:

| | |
|---|---|
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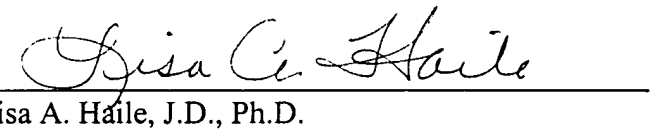
| CERTIFICATION UNDER 37 CFR §1.8 |
|---|
| I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **January 8, 2002,** in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. |
| Aldon Griffis<br>*(Name of Person Mailing Paper)* |
| Aldon Griffis<br>*(Signature)* — January 8, 2002 *(Date)* |

Gray Cary\GT\6273541.1
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as associate attorney of record to prosecute this application as well as any continuation and divisional applications and to transact all business in the Patent and Trademark Office in connection therewith.

Respectfully submitted,

Date: January 8, 2002



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